

RESOLUTION NO. _____

WHEREAS, the City of Austin has a desire to promote the visual and performing arts; and

WHEREAS, it is necessary for certain performing arts theaters to have a fly tower for movement and changing of sets; and

WHEREAS said fly towers must be taller than the theater building itself to accommodate such sets; and

WHEREAS, Austin City Code does not accommodate this use in its zoning regulations concerning height; and

WHEREAS, in order to accommodate top-rate theaters within the City, the Council wishes to consider amendments to the height regulations to add theater fly towers to the exceptions from height measurements; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates amendment to Section 25-2-531 (*Height Limit Exceptions*), to add an exception for fly towers constructed for and within a public performing arts theater to permit said fly towers to exceed a zoning district height limit by up to 33%.

BE IT FURTHER RESOLVED:

The City Manager shall present the amendments to the Council on or before June 5, 2008.

ADOPTED: _____, 2008 **ATTEST:** _____
Shirley A. Gentry
City Clerk